

## **EXHIBIT 17**

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13 *Electronics Manufacturing Company of*  
14 *America, Inc.*

15 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

16 **In re: CATHODE RAY TUBE (CRT)**  
17 **ANTITRUST LITIGATION**

Case No. 13-cv-01173 SC  
Case No. 07-cv-05944 SC

18 This Document Relates to: Individual Case No.  
13-cv-01173 SC

MDL No. 1917

19 SHARP ELECTRONICS CORPORATION;  
20 SHARP ELECTRONICS MANUFACTURING  
COMPANY OF AMERICA, INC.,

21 Plaintiffs,

22 v.

23 HITACHI, LTD., *et al.*,

24 Defendants.

**SHARP ELECTRONICS  
CORPORATION AND SHARP  
ELECTRONICS  
MANUFACTURING COMPANY OF  
AMERICA, INC.'S FIRST SET OF  
INTERROGATORIES TO  
DEFENDANT TECHNICOLOR  
USA, INC., F/K/A THOMSON  
CONSUMER ELECTRONICS, INC.**

**DATE: MAY 14, 2014**

**PROPOUNDING PARTIES:** Plaintiffs Sharp Electronics Corporation and Sharp Electronics Manufacturing Company of America, Inc.

**RESPONDING PARTIES:** Technicolor USA, Inc., f/k/a Thomson Consumer Electronics, Inc.

ONE

**SET NO.:**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs Sharp Electronics Corporation and Sharp Electronics Manufacturing Company of America, Inc. (collectively, “Sharp”), through their undersigned counsel, request that Defendant Technicolor USA, Inc., f/k/a Thomson Consumer Electronics, Inc. (“Thomson Consumer”) responds to the following Interrogatories within thirty (30) days of service and supplement its Interrogatory answers, as necessary, to comply with Federal Rule of Civil Procedure 26(e). Defendant is directed to serve verified answers at PAUL, WEISS, RIFKIND, WHARTON & GARRISON, LLP, Attn: Craig A. Benson, 2001 K St., N.W., Washington, DC 20006, or at another time and place as may be mutually agreed upon by counsel for the parties.

### INSTRUCTIONS

1. You must serve a written response to the Interrogatories, and such response must be signed. In answering the Interrogatories, furnish all information available to you, including information in the possession of your attorneys and all persons acting on your behalf.

2. If you contend that any information sought by the Interrogatories is privileged, describe the nature of the privileged information, identify the person in possession of the requested information, and identify the grounds of the asserted privilege.

3. If you object to any Interrogatory, in whole or in part, state the reasons for any objection(s), and answer that part of the Interrogatory to which you do not object. If you object to any Interrogatory as overbroad, respond to the Interrogatory as narrowed to conform to the objection. If the answer to an Interrogatory is “none,” “unknown,” or “not applicable,” such statement should be written in the answer.



1           6.     The term “Evidence” means Documents, witness statements or testimony, and  
2     discovery responses.

3           7.     The terms “Identify,” “Describe,” and “State” mean:

- 4                 i.    As to a person, to state the full name, where the person worked during the  
5                     time period to which your answers pertains, the person’s current or last  
6                     known employer and position, and the person’s current or last known  
7                     home and business address, and telephone numbers;  
8                 ii.   As to a Company, to state the full legal name, business address, and  
9                     business telephone numbers;  
10                iii.   As to a Document, to describe the type of document (e.g., letter, statement,  
11                     memorandum, telegram, notes of telephone conversation, etc.), the general  
12                     subject matter, the date of the document, the identity of the sender(s) and  
13                     recipient(s), and its present location and custodian, in lieu thereof, a copy  
14                     of the document may be produced;  
15                iv.   As to a Communication, to state the type of communication (e.g., oral,  
16                     written, computer, etc.), the date and substance of such communication,  
17                     the identity of the participants, and any documents evidencing or  
18                     supporting such communication.

19           7.     When referring to any fact, act, occurrence, transaction, statement,  
20     communication, document, or other matter, “Identify,” “Describe,” “Explain,” or “State” means  
21     to describe and identify the facts constituting such matter.

22           8.     “Including” or “includes” means without limitation.

23           9.     “Reflect(ing) or refer(ring) to” means a statement or communication about,  
24     relating to, concerning, describing, containing, identifying, or in any way pertaining to the  
25     subject matter in the request.

26           10.    The term “Thomson Consumer” refers to Technicolor USA, Inc., f/k/a Thomson  
27     Consumer Electronics, Inc.



**INTERROGATORY 5:**

Provide the basis for your contention that Sharp “has failed to plead fraudulent concealment with the particularity required by Rule 9(b) of the Federal Rules of Civil Procedure,” as stated in the Third Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 6:**

Provide the basis for your contention that Sharp’s claims “are barred in whole or part because the [Complaint] fails to plead conspiracy with particularity required under applicable law,” as stated in the Fourth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 7:**

Provide the basis for your contention that Sharp’s claims “are barred, in whole or in part, by reason of Thomson Consumer’s withdrawal from or abandonment of any alleged conspiracy,” as stated in the Fifth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 8:**

Provide the basis for your contention that Sharp’s claims “are barred, in whole or in part, by reason of claim splitting and by the doctrine of the election of remedies,” as stated in the Sixth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 9:**

Provide the basis for your contention that Sharp’s claims “are barred, in whole or in part, under the doctrine of laches,” as stated in the Seventh Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 10:**

Provide the basis for your contention that Sharp’s claims “are barred, in whole or in part, under the doctrines of estoppel, waiver, and/or unclean hands,” as stated in the Eighth Additional

1 or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or  
 2 other Evidence upon which You intend to rely.

3 **INTERROGATORY 11:**

4 Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
 5 because all of the actions of Thomson Consumer being challenged by [Sharp] were lawful,  
 6 justified, procompetitive, constitute bona fide business competition, and were carried out in  
 7 furtherance of Thomson Consumer's legitimate business interests," as stated in the Ninth  
 8 Additional or Affirmative Defense in Your Answer, with specific reference to any Documents,  
 9 persons, or other Evidence upon which You intend to rely.

10 **INTERROGATORY 12:**

11 Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
 12 by reason of [Sharp's] acquiescence to the conduct of Thomson Consumer," as stated in the  
 13 Tenth Additional or Affirmative Defense in Your Answer, with specific reference to any  
 14 Documents, persons, or other Evidence upon which You intend to rely.

15 **INTERROGATORY 13:**

16 Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
 17 by the doctrines of accord and satisfaction, and release and settlement," as stated in the Eleventh  
 18 Additional or Affirmative Defense in Your Answer, with specific reference to any Documents,  
 19 persons, or other Evidence upon which You intend to rely.

20 **INTERROGATORY 14:**

21 Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
 22 because the conduct of Thomson Consumer alleged in the Complaint was caused by, due to,  
 23 based upon, or in response to directives, laws, regulations, policies, and/or acts of governments,  
 24 governmental agencies and entities, and/or regulatory agencies, and as such is non-actionable or  
 25 privileged," as stated in the Twelfth Additional or Affirmative Defense in Your Answer, with  
 26 specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 15:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp] lack[s] standing to bring the claims asserted in the Complaint," as stated in the Thirteenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 16:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because, to the extent that any employee or agent of Thomson Consumer engaged in any unlawful act or omission, any such act or omission would have been committed by individuals acting ultra vires," as stated in the Fourteenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 17:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp's] alleged injuries . . . stemmed from intervening or superseding causes," as stated in the Fifteenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 18:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp] [has] not suffered an antitrust injury," as stated in the Sixteenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 19:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp] [has] not been injured in [its] business or property by reason of any action of Thomson Consumer," as stated in the Seventeenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 20:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp's] alleged damages . . . are speculative and because of the impossibility of the ascertainment and allocation of such alleged damages," as stated in the Eighteenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 21:**

Provide the basis for your contention that Sharp is "barred from recovery of damages, in whole or in part, because of and to the extent of [Sharp's] failure to mitigate damages," as stated in the Nineteenth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 22:**

Provide the basis for your contention that Sharp's "claims for an illegal overcharge are barred, in whole or in part, to the extent that such overcharge was absorbed, in whole or in part, by others, and was not passed through to [Sharp]," as stated in the Twentieth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 23:**

Provide the basis for your contention that Sharp's "claims or causes of action for injunction or other equitable relief are barred, in whole or in part, because [Sharp] [has] available an adequate remedy at law," as stated in the Twenty-First Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 24:**

Provide the basis for your contention that Sharp's "claims or causes of action are barred, in whole or in part, because [Sharp] seek[s] to enjoin alleged events that have already transpired and without the requisite showing of threatened future harm or continuing violation," as stated in

1 the Twenty-Second Additional or Affirmative Defense in Your Answer, with specific reference  
2 to any Documents, persons, or other Evidence upon which You intend to rely.

3 **INTERROGATORY 25:**

4 Provide the basis for your contention that Sharp's claims "should be dismissed for  
5 uncertainty and vagueness and because their claims are ambiguous or unintelligible," as stated in  
6 the Twenty-Third Additional or Affirmative Defense in Your Answer, with specific reference to  
7 any Documents, persons, or other Evidence upon which You intend to rely.

8 **INTERROGATORY 26:**

9 Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
10 because [Sharp] would be unjustly enriched if [it] [was] allowed to recover any part of the  
11 damages alleged in the Complaint," as stated in the Twenty-Fourth Additional or Affirmative  
12 Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence  
13 upon which You intend to rely.

14 **INTERROGATORY 27:**

15 Provide the basis for your contention that Sharp's claims "are barred from recovery of  
16 damages, in whole or in part, to the extent that any restitution or award of damages to [Sharp]  
17 would be excessive and punitive, and disproportionate to any alleged injury suffered by [Sharp],"  
18 as stated in the Twenty-Fifth Additional or Affirmative Defense in Your Answer, with specific  
19 reference to any Documents, persons, or other Evidence upon which You intend to rely.

20 **INTERROGATORY 28:**

21 Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
22 to the extent the injuries alleged in the Complaint were directly and proximately caused by or  
23 contributed to by the statements, acts, or omissions of [Sharp] or third persons or entities  
24 unaffiliated with Thomson Consumer," as stated in the Twenty-Sixth Additional or Affirmative  
25 Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence  
26 upon which You intend to rely.

**INTERROGATORY 29:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, by the doctrines of res judicata or collateral estoppel," as stated in the Twenty-Seventh Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 30:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp] [has] failed to allege facts sufficient to support a claim under the Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6a," as stated in the Twenty-Eighth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 31:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, to the extent [Sharp] seek[s] to recover damages . . . based on sales outside of the United States," as stated in the Twenty-Ninth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 32:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because Plaintiffs' claims are improperly joined within the meaning of Rule 20 of the Federal Rules of Civil Procedure because they did not arise out of the same transaction, occurrence, or series of transactions or occurrences and do not involve questions of law or fact common to all defendants," as stated in the Thirtieth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 33:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp] failed to exhaust all remedies against the parties with whom [Sharp] [is] in privity," as stated in the Thirty-First Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

1           **INTERROGATORY 34:**

2           Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
3 to the extent they would result in Thomson Consumer paying damages to more than one claimant  
4 for the same alleged overcharge, because such multiple recoveries would violate rights  
5 guaranteed to the Thomson Consumer by applicable states' laws and the United States  
6 Constitution, including, without limitation, rights guaranteed under the Due Process Clause of  
7 the Fourteenth Amendment," as stated in the Thirty-Second Additional or Affirmative Defense  
8 in Your Answer, with specific reference to any Documents, persons, or other Evidence upon  
9 which You intend to rely.

10           **INTERROGATORY 35:**

11           Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
12 by the voluntary payment doctrine, under which [Sharp] [is] not entitled to recover payments  
13 made with full knowledge of the facts," as stated in the Thirty-Third Additional or Affirmative  
14 Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence  
15 upon which You intend to rely.

16           **INTERROGATORY 36:**

17           Provide the basis for your contention that "Thomson Consumer is entitled to set off from  
18 any recovery [Sharp] obtains against Thomson Consumer any amount paid to under settlements  
19 with other defendants in this or related matters," as stated in the Thirty-Fourth Additional or  
20 Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or  
21 other Evidence upon which You intend to rely.

22           **INTERROGATORY 37:**

23           Provide the basis for your contention that Sharp's claims "are barred, in whole or in part,  
24 because any action taken by or on behalf of Thomson Consumer was justified, constituted *bona*  
25 *fide* business competition, and was taken in pursuit of its own legitimate business and economic  
26 interests and is therefore privileged," as stated in the Thirty-Fifth Additional or Affirmative  
27 Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence  
28 upon which You intend to rely.

**INTERROGATORY 38:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, by the doctrine of Noerr-Pennington," as stated in the Thirty-Sixth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 39:**

Provide the basis for your contention that Sharp's claims "should be dismissed on the grounds of forum non conveniens to the extent the claims are governed by the laws of foreign states," as stated in the Thirty-Seventh Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 40:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because venue does not lie in this Court," as stated in the Thirty-Eighth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 41:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because [Sharp] [has] agreed to arbitration or chose a different forum for the resolution of [its] claims," as stated in the Thirty-Ninth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 42:**

Provide the basis for your contention that Sharp's claims "are barred, in whole or in part, because any alleged injuries and damages were not legally or proximately caused by any acts or omissions of Thomson Consumer or were caused, if at all, solely and proximately by the conduct of third parties, including, without limitations, the prior, intervening, or superseding conduct of such third parties," as stated in the Fortieth Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 43:**

Provide the basis for your contention that this “Court lacks subject-matter jurisdiction over [Sharp’s] claims pursuant to, but not limited to, the Foreign Trade Antitrust Improvements Act, and because the conduct alleged to provide a basis for [Sharp’s] claims did not have a direct, substantial, and reasonably foreseeable effect on trade or commerce within the United States,” as stated in the Forty-First Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 44:**

Provide the basis for your contention that Sharp’s claims “should be dismissed because [Sharp] lack[s] standing to prosecute [its] state antitrust claims, in whole or in part, under, without limitation, N.Y. Gen. Bus. Law §§ 340, *et seq.*,” as stated in the Forty-Second Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

**INTERROGATORY 45:**

Provide the basis for your contention that Sharp’s claims “are barred, in whole or in part, for failure to join indispensable parties,” as stated in the Forty-Third Additional or Affirmative Defense in Your Answer, with specific reference to any Documents, persons, or other Evidence upon which You intend to rely.

DATED: May 14, 2014

By: Craig A. Benson

Kenneth A. Gallo (*pro hac vice*)

Joseph J. Simons (*pro hac vice*)

Craig A. Benson (*pro hac vice*)

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8 *Sharp Electronics Manufacturing Company of America, Inc.*  
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